

STATE OF WASHINGTON  
GAMBLING COMMISSION

In the Matter of the Suspension or Revocation )  
of the License to Conduct Gambling Activities of: )

NO. CR 2013-00915

Frederic W. Belanio )  
Kent, Washington, )

**NOTICE OF ADMINISTRATIVE  
CHARGES AND OPPORTUNITY  
FOR AN ADJUDICATIVE  
PROCEEDING**

Licensee. )  
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I.

The Washington State Gambling Commission issued Frederic W. Belanio license number 68-14073, authorizing Card Room Employee activity at Iron Horse Casino. The license expires on May 6, 2014, and was issued subject to Mr. Belanio's compliance with state gambling laws and rules.

II.

David Trujillo, Interim Director of the Washington State Gambling Commission, charges the licensee with the following violations of the Washington State Gambling Act, 9.46 RCW, and WAC Title 230:

**SUMMARY**

Mr. Frederic W. Belanio owes approximately \$3,556 in outstanding court-ordered fines. These amounts have been referred to collections for non-payment.

- 1) On May 6, 2013, a Gambling Commission Special Agent (agent) was assigned to Mr. Belanio's file for a routine, annual criminal history check.
- 2) As part of the agent's investigation, he examined the Judicial Information System (JIS) record for Mr. Belanio.<sup>1</sup> Mr. Belanio has six instances of Failure to Appear (FTA) on his record. Additionally, his JIS record shows that he has numerous fines owed to collections as of May 6, 2013.
- 3) The following is a breakdown of Mr. Belanio's history listed from the date of violation, the charge, and the dollar amount owed in collections:

- a. 04/2/2012, Display or Possess Cancelled License, Fail to Yield Right of Way – Left, Operate Motor Vehicle without Insurance; \$ 901.00

<sup>1</sup> JIS is run by the Washington State Court System to keep record of court actions occurring in Municipal, District, and Superior Courts.

- b. 01/04/2012, Operate Motor Vehicle without Insurance, \$ 850.00  
Operate/Possess Vehicle without Registration, Defective Turn Signal/Stop Lamp;
- c. 06/20/2011, Failed to Drive on Right Side of Street, Operate \$726.00  
Motor Vehicle without Insurance;
- d. 11/20/2010, Speeding 12 MPH Over Limit, Operate Motor \$746.00  
Vehicle without Insurance;
- e. 04/20/2003, Speeding 24 MPH Over Limit \$152.00; and
- f. 04/19/2003, Speeding 16 MPH Over Limit \$181.00.

4) On May 6, 2013, the agent sent Mr. Belanio and his employer, Iron Horse Casino, a letter informing them of the accumulated court-related debt.

5) The letter continued to advised that the agent had concerns regarding a pattern of failure to comply with court-ordered fines, and the cumulative dollar amount of the unpaid fines -- \$3556 at the time of the letter. The agent expressed concern that this financial pressure may make him a threat to the effective regulation of gaming and enhances the chance of unfair or illegal practices, methods, or activities of the gaming activity.

6) The letter notified Mr. Belanio and Iron Horse Casino that the agent would be recommending revocation of his gambling license, as his willful disregard of judicial rulings causes concern that he "may not comply with internal control requirements or adhere to the direction of the Washington State Gambling Commission."

7) The court has received no payment from Mr. Belanio since imposition of the fines.

8) Previously, Mr. Belanio received a warning letter in 2008 for playing in a card game ad using another player's money.

## **VIOLATIONS:**

### **1) RCW 9.46.075 Denying, suspending, or revoking an application, license or permit**

The commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein: (The following subsections apply.)

(1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

### **2) WAC 230-03-085 Denying, suspending, or revoking an application, license or permit**

We may deny, suspend, or revoke any application, license or permit, when the applicant, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization:

(The following subsections apply.)

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

(3) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level.

(8) Poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities, as demonstrated by:

- (a) Prior activities; or
- (b) Criminal record; or
- (c) Reputation; or
- (d) Habit.

Mr. Belanio has demonstrated willful disregard for complying with court orders, resulting in six FTA's and over \$3,500 in court-related fines in collections for nonpayment. Therefore, under RCW 9.46.075(1) and WAC 230-03-085(1), (3), and (8), grounds exist to suspend or revoke Frederic W. Belanio's license.

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III.

Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, chapter 34.05 RCW, the Administrative Procedure Act, and WAC Title 230.

The licensee will have the opportunity to have a hearing on the alleged violations.

**In order to have a hearing or discuss settlement options**, the enclosed request for hearing must be completed and returned to the Gambling Commission **within 23 days** from the date of the mailing of this notice.

Based on RCW 34.05.440, failure to return a request for hearing will result in the entry of a default order REVOKING your license.

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF THURSTON )

David Trujillo, being duly sworn on oath, says: That he has read this Notice of Administrative Charges and Opportunity for An Adjudicative Proceeding, knows the contents of it, believes it to be true, that he is the Interim Director, of the Washington State Gambling Commission, and in that capacity has executed said Notice.

*David Trujillo*

David Trujillo, Interim Director

SUBSCRIBED AND SWORN TO before me  
this 4 day of June, 2013.

*Maureen Pretell*

NOTARY PUBLIC in and for the State of  
Washington residing at Thurston County  
My commission expires on December 2, 2015



STATE OF WASHINGTON )  
 )  
COUNTY OF THURSTON )

I certify I have this day served a copy of the document upon all parties of record in the proceeding by mailing a copy, property addressed with postage prepaid, by regular and certified mail to each party to the proceeding or his or her attorney or authorized agent.

Dated at Olympia, Washington this 4 day of June, 2013

*Maureen Pretell*